



General Assembly

February Session, 2010

Amendment

LCO No. 3960

HB0511703960HDO

Offered by:

REP. WRIGHT E., 41st Dist.
REP. SPALLONE, 36th Dist.
REP. SHARKEY, 88th Dist.

REP. HURLBURT, 53rd Dist.
REP. CHAPIN, 67th Dist.
SEN. MAYNARD, 18th Dist.

To: Subst. House Bill No. 5117

File No. 95

Cal. No. 66

**"AN ACT CONCERNING CONSERVATION AND PRESERVATION
RESTRICTIONS HELD BY THE STATE."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) For purposes of this
4 section:

5 (1) "Conservation restriction" has the same meaning as provided in
6 section 47-42a of the general statutes;

7 (2) "Preservation restriction" has the same meaning as provided in
8 section 47-42a of the general statutes; and

9 (3) "Open space land" has the same meaning as provided in section
10 12-107b of the general statutes.

11 (b) Whenever a municipality acquires any real property with the

12 intent to place a conservation restriction, preservation restriction or
13 other restriction on the use of such property, including acquiring
14 property with funds specifically allocated for a conservation or
15 preservation purpose, such municipality shall record in the land
16 records a description of any such restriction and any applicable source
17 of such restriction, including, but not limited to, the date of the
18 referendum or local legislative body action that authorized such
19 acquisition contingent upon certain use restrictions and the source of
20 the funding for the acquisition of such property if such funding
21 restricted the use of such property.

22 (c) Whenever a municipality intends to permanently protect any
23 municipal property by dedicating such property as a park or open
24 space land, such municipality shall record in the land records a
25 description of such property, the date of such dedication and the local
26 legislative body action that authorized such dedication.

27 (d) The failure of a municipality to comply with the provisions of
28 subsection (b) or (c) of this section shall not be evidence of the lack of
29 any such conservation restriction, preservation restriction or open
30 space land dedication.

31 (e) Nothing in this section shall be construed to amend or alter any
32 other legal right or obligation of a municipality concerning open space
33 land or park land.

34 (f) If a municipality fails to comply with a dedication of land as
35 open space land or park land or the terms of a conservation or
36 preservation restriction, the Attorney General may bring an action in
37 the superior court to enforce the public interest in such dedication or
38 conservation or preservation restriction."